

**UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE**

NUCAR CONSULTING, INC.,	:	CASE NO. 1:06-cv-00284-GMS
	:	
Plaintiff,	:	
	:	
v.	:	
	:	
ARBOGAST BUICK-PONTIAC-GMC TRUCK, INC.,	:	INITIAL DISCLOSURES OF DEFENDANT, ARBOGAST BUICK- PONTIAC-GMC TRUCK, INC.
	:	
Defendant.	:	

**INITIAL DISCLOSURE STATEMENT OF DEFENDANT
ARBOGAST BUICK-PONTIAC-GMC TRUCK, INC.**

Pursuant to Fed. R. Civ. P. 26(a)(1), Defendant, Arbogast Buick-Pontiac-GMC Truck, Inc. (“Arbogast”), serves the following initial disclosures:

A. Persons with discoverable information:

1. Dave Arbogast
3540 South County Road 25-A
Troy, Ohio 45373

Mr. Arbogast has information about the business relationship between Arbogast and NuCar Consulting, Inc. (“NuCar”).

2. John Thompson
3540 South County Road 25-A
Troy, Ohio 45373

Mr. Thompson has information about the business relationship between Arbogast and NuCar.

3. Mose Wampler
3540 South County Road 25-A
Troy, Ohio 45373

Mr. Wampler has information about the business relationship between Arbogast and NuCar.

4. William Sickler
3540 South County Road 25-A
Troy, Ohio 45373

Mr. Sickler has information about the business relationship between Arbogast and NuCar.

5. Chandler Greene
Suite 100
313 N. DuPont Highway
Odessa, Delaware 19730

Mr. Greene has information about NuCar's promotional programs.

6. Charles Howard, Esq.
Ohio Automobile Dealers Association
655 Metro Place South
Suite 270
Dublin, OH 43017

Mr. Howard has information about the use of bird dog fees in Ohio automobile dealership promotions.

B. Documents:

The following documents are available for inspection and copying:

1. Agreement date March 30, 2004
2. Agreement dated April 14, 2005
3. Addendum to Agreement dated "24th day of October 13, 2005"
4. Correspondence between Arbogast and NuCar
5. Invoices from NuCar
6. Statements from NuCar
7. Promotional program documents from NuCar

C. Computation of Damages:

Arbogast is seeking the return of all funds paid to NuCar.

D. Insurance

Arbogast is unaware of applicable insurance coverage.

Respectfully submitted,

MARON & MARVEL, P.A.

/s/ Wayne A. Marvel

Wayne A. Marvel (DE Bar ID #1073)

1201 North Broom Street

P.O. Box 288

Wilmington, DE 19899-0288

(302) 425-5177

Attorneys for Defendant,

Arbogast Buick-Pontiac-GMC Truck, Inc.

OF COUNSEL:

Chad D. Cooper, Esquire
Thompson Hine LLP
2000 Courthouse Plaza, N.E.
P.O. Box 8801
Dayton, Ohio 45401-8801
Telephone: (937) 443-6909
Facsimile: (937) 443-6830

CERTIFICATE OF SERVICE

I, Wayne A. Marvel, hereby certify that a copy of the foregoing Defendant Arbogast Buick-Pontiac-GMC Truck, Inc.'s Initial Disclosure Statement has been served upon all counsel of record via electronic filing on this 27th day of July, 2006.

MARON & MARVEL, P.A.

/s/ Wayne A. Marvel

Wayne A. Marvel (DE Bar ID #1073)